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PATENT

Attorney Docket No.: 002818/PDD/PSI/JW

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Suketu A. Parikh

) Group:  
) Art Unit: 2813  
) Examiner: Pham, T

Serial No.: 09/244,788

Filed: 2/5/99

For: Dual Damascene Misalignment  
Tolerant Techniques For Vias And  
Sacrificial Etch Segments

) **INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

## This Information Disclosure Statement

- ☐ is filed within three months after the filing date of a national application or three months after the date of entry of the national stage in an international application or before the mailing date of a first office action on the merits, whichever occurs last. 37 C.F.R. § 1.97(b).
- ☒ is filed **before** the mailing date of either (a) a final action under § 1.113 or (b) a notice of allowance under § 1.311, whichever occurs first, and is accompanied by X certification as specified in § 1.97(e) **or**     the fee set forth in § 1.17(p). 37 C.F.R. § 1.97(c).
- ☐ is filed **after** the mailing date of either (a) a final action under § 1.113 or (b) a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee, and is accompanied by
- certification as specified in § 1.97(e);  
    a petition requesting consideration; **and**  
    the petition fee set forth in § 1.17(i)(1). 37 C.F.R. § 1.97(d)

Applicant submits herewith patent(s), publication(s), or other information of which applicant is aware, which applicant believes may be material to the examination of this application and in respect of which there may be a duty to disclose. The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or considered to be, material to patentability or that no other material information exists. The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25. Each reference is identified on the attached Form PTO-1449. A copy of each of the references is supplied herewith.

A concise explanation of the items listed on PTO-1449 is:

- ☒ not given, since all items are in the English language
- ☐ given for only some listed non-English language item(s)
- ☐ given for each listed item, since all are non-English language documents

Applicant has become aware of the following printed publication which may be material to the examination of this application:

U.S. Pat. No. 6,255,735 B1 to Wang et al. 2001

Respectfully submitted,

Dated: Aug. 8, 2001

By: Albert J. Dalhuisen  
Albert J. Dalhuisen  
Reg. No.: 36,117



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) Group:  
) Art Unit: 2813  
) Examiner: Pham, T  
)  
) Certification For Information  
) Disclosure Statement  
)  
)  
)  
)  
)

Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATION FOR INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR 1.97(e)

Sir:

**IDENTIFICATION OF INFORMATION DISCLOSURE  
STATEMENT FOR WHICH THIS CERTIFICATION  
IS BEING MADE**

1. This certification is being made for the Information Disclosure Statement

☒ accompanying this certification

☐ filed \_\_\_\_\_  
(date)

**CERTIFICATION**

2. I, the person(s) signing below certify

(check appropriate item)

☐ that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement. 37 CFR 1.97(e)(1).

*NOTE: The three month period starts from the mailing date of the foreign patent office communication. Notice of January 9, 1992, 1135 O.G. 13-25 at 19. The mailing date is the "date on the communication by the foreign patent office." Notice of April 20, 1992 (1138 O.G. 37-41, 39).*

**OR**

[X] that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56(c) more than three months prior to the filing of the statement. 37 CFR 1.97(e)(2).

*NOTE: "The time at which information 'was known to any individual designated in 37 CFR 1.56©' is the time when the information was discovered in association with the application even if awareness of the materiality came later." Notice of April 20, 1992 (1138 O.G. 37-41, 40).*

**IDENTIFICATION OF PERSON(S) MAKING THIS CERTIFICATION**

3. The person making this certification is

*(check each applicable item (a) and/or (b))*

(a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
*(type name of inventor who is signing)*

(b) ☐ a person who is substantively involved in the preparation or prosecution of the application, and who is associated with the inventor, with the assignee, or with anyone to whom there is an obligation to assign the application (37 CFR 1.56(c)) and who signs below.

\_\_\_\_\_  
SIGNATURE OF PERSON

\_\_\_\_\_  
*(type name of person who is signing)*

\_\_\_\_\_  
Address of person who is signing

(c) ☒ the attorney who signs below on the basis of the information:

*(check each applicable item)*

☐ supplied by the inventor(s).

☐ supplied by an individual designated in § 1.56(c).

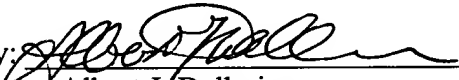
☒ in the attorney's file.

*NOTE: "Certification need not be in the form of an oath or a declaration under 37 CFR 1.68. Certification by a registered practitioner or any other individual that the statement was filed within the three-month period of either first citation by a foreign patent office or first discovery of the information will be accepted as dispositive of compliance with this provision in the absence of evidence to the contrary." . . . . "A statement on information and belief would not be sufficient." Notice of April 20, 1992 (1138 O.G. 37-41, 39-40).*

Respectfully submitted,

LAW OFFICE of ALBERT J. DALHUISEN

Dated: Aug. 8, 2001

By:   
Albert J. Dalhuisen  
Reg. No.: 36,117  
Attorney for Applicant